

REMARKS

Claims 1-13 are currently pending. In the Office Action dated June 27, 2002. Examiner Thomson made comments regarding the Information Disclosure Statement, objected to the drawings, rejected Claims 1-3, 5-10, 12 and 13 under 35 U.S.C. § 102(b) as being anticipated by Keenan (U.S. Patent No. 4,837,961) and rejected Claims 4 and 11 under 35 U.S.C. § 103(a) as being unpatentable over Keenan. As set out above, Claims 1 and 8, the independent claims, have been amended. Applicant requests reexamination and reconsideration of the application in view of the following remarks and claim amendments.

Informational Disclosure Statement

Examiner Thomson made comments regarding the Applicant's listing of references. These references are included on form PTO-892, thus correcting any deficiency regarding the submission of these references.

Drawings

Examiner Thomson objected to Figure 1 of the Drawings. A proposed corrected Figure 1 having the term "Prior Art" is included with this response. Reconsideration of this objection is respectfully requested.

Claims Rejection – 35 U.S.C. § 102(b)

Examiner Thomson has rejected Claims 1-3, 5-10, 12 and 13 under 35 U.S.C. § 102(b) as being anticipated by Keenan. Applicant respectfully submits that the cited reference does not render the claimed invention as amended as anticipated. Reconsideration of this rejection is requested.

Applicant's independent claims, Claims 1 and 8 have been amended to highlight various structural differences from the prior art. These amendments clarify that (a) the handle assembly portion of the invention is secured to the grip portion proximate to the grip's rearward end (the

end closest to the stock) and (b) the hand grip portion of the handle assembly is secured forward (toward the barrel opening part of the barrel) of the securing element portion. No new matter was added. (See Figs. 2 & 3).

While Keenan is directed toward a recoil assembly attached to a grip portion of a pump-style gun, Keenan is structurally different than that of the pending claims, as amended. Keenan teaches a recoil assembly that is attached along the entire surface of the forearm grip (reference 24) (Keenan, Fig. 1). Further, Keenan teaches the handle (reference 28) is attached behind the body portion (reference 26). In addition, Keenan requires the body portion to be attached to the grip through a series of recessed slots. As stated in Keenan, "The tubular slide handle 24 further comprises recesses which define slots 48 therein which are parallel to magazine tube 18, the slot receiving feet 38 of body portion 26". (Col. 3, Lines 45-49).

It is clear that Keenan does not teach nor disclose a recoil assembly having the elements as set out in the claims of the present invention, as amended. Keenan does not teach nor disclose an assembly being connected toward the rear portion of the grip nor teach nor disclose having a hand grip located in front of a support structure. In fact, Keenan teaches the opposite, i.e. a hand grip behind the support structure. By having the hand grip behind the support structure, the Keenan structure causes interference with the shooter's control of the gun. When using such structure, top section 30 (Figs. 1 & 2) is placed between various fingers, such as the index and middle fingers. This causes a force imbalance in the hand/wrist with regards to absorbing the recoil of the gun when fired. This interference can be potentially dangerous and possibly injurious to the user. By having the hand grip located in front of the support structure, the applicant's inventive assembly does not create this type of interference.

Accordingly, Keenan does not contain all the elements of the independent Claims 1 and 8. Applicant would submit that Keenan does not anticipate these claims. Furthermore, Claims 2,

3, 5-7, 9, 10 and 12 as being dependant claims would also not be anticipated by Keenan. Reconsideration of this rejection is respectfully requested.

Claims Rejection – 35 U.S.C. § 103(a)

Examiner Thomson has rejected Claims 4 and 11 under 35 U.S.C. § 103(a) as being unpatentable over Keenan. Applicant respectfully submits that the cited reference does not render the claimed invention as amended unpatentable. Reconsideration of this rejection is requested.

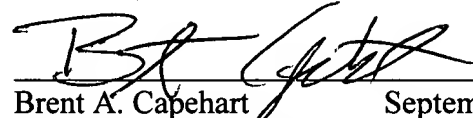
In the present Office Action, Examiner Thomson stated that Keenan “discloses the claimed invention except for the gun being an automatic load type shotgun.” The Examiner went on to conclude that it would have been obvious to one skilled in the art to provide the inventive assembly on an automatic load type shotgun. As set out above, Applicant submits the claimed inventive assembly, as amended, is not disclosed by Keenan. Accordingly, it is respectfully submitted that Claims 4 and 11 are not unpatentable in view of Keenan. Reconsideration of this rejection is requested.

Based on the above, Applicant respectfully submits that the application is in condition for registration and reconsideration is requested. If the Examining Attorney has any questions or comments or if further clarification is required, it is requested that he contact the undersigned at the below listed telephone number.

It is understood there is no fee due at this time and thus none is attached. However, should a fee deficiency have occurred, please charge Deposit Account No. 50-1971 per 37 C.F.R. § 1.25.

Per 37 C.F.R. § 1.121(c) the attached includes a set of 'clean claims' as required. These claims reflect suggested changes in the Amendment herein.

Respectfully submitted,



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